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Docket Number (Optional)

003848.00065

In re Application of: David Mack

Application No.: 09/836,278

Filing Date: April 18, 2001

For: Expression Monitoring For Gene Function Identification

The owner*, Affymetrix of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent Nos. 6,303,301, 6,258,536, and 6,177,248. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. The undersigned is an attorney of record.


Signature 05-20-03
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